United States Senate
WASHINGTON, D.C. 20510

October 28, 1986

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

Thank you for writing to express your thoughts regarding the nomination of William Rehnquist to be Chief Justice of the United States. As you know, this nomination was confirmed by the Senate on September 17, by a vote of 65 to 33.

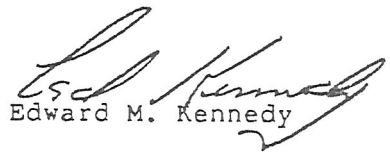
I opposed this nomination, both during Judiciary Committee hearings and on the floor of the full Senate. In my view, Mr. Rehnquist's positions on some of the most important issues in our legal system every day are too extreme -- his views are wrong on race, on equal rights for women, on the separation of church and state, and on some of the most basic individual freedoms protected by our Constitution.

Justice Rehnquist has repeatedly exhibited his hosility to the ideals of racial justice and civil rights. Moreover, his conduct during Committee hearings and while serving on the bench had indicated serious ethical lapses. He has been less than candid with members of the Judiciary Committee, and he violated the basic rule of judicial ethics that no person should be a judge in his own cause. As a Supreme Court Justice, Mr. Rehnquist sat as a member of the Court and cast the deciding vote in a case that upheld a shocking policy of military surveillance of civilians -- a policy that he himself had helped to draft.

Justice Rehnquist might have made a brilliant nineteenth century Chief Justice. But brilliance of judicial intellect in the service of racism and injustice is no virtue in our times -- and no qualification for the high office of Chief Justice of the United States.

I appreciate your taking the time to write, and I am grateful for this opportunity to express my concerns regarding this matter.

Sincerely,



Edward M. Kennedy

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